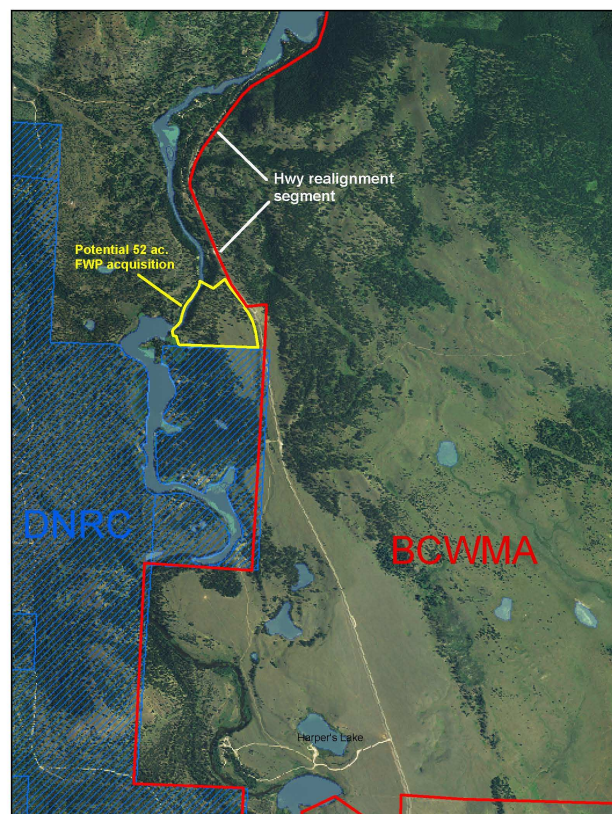


MT Highway 83 Right-of-Way Conveyance on the Blackfoot-Clearwater Wildlife Management Area DRAFT MANAGEMENT PLAN

INTRODUCTION

Montana Fish, Wildlife, and Parks (FWP) proposes to exchange up to 19-acres on the Blackfoot-Clearwater Wildlife Management Area (BCWMA) along the Highway 83 corridor to Montana Department of Transportation (MDT) for a 53-acre parcel that is adjacent to BCWMA's western boundary. This exchange is necessary for MDT's project to widen and realign the right-of-way for Highway 83 between Clearwater Junction and Seeley Lake. If implemented, this action would be in lieu of monetary payment from MDT to FWP for right-of-way acquisition across the WMA for MDT's Clearwater Junction-North project.

This project originally initiated in 2001, when MDT first described its need to correct unsafe, substandard curves, and widen a 13-mile portion of Hwy 83 beginning at Clearwater Junction north to Seeley Lake. MDT plans to relocate the highway centerline as much as 25 feet to realign curves, improve line-of-sight distances, and provide sufficient road widths for bicycle traffic on the shoulders of the highway. Realignment along the entire corridor would affect FWP property on the Blackfoot-Clearwater WMA at eight specific points.



MDT and FWP both recognized that the impact to the FWS-encumbered BCWMA lands extended beyond just the 19 acres directly impacted by the proposed realignment. In 2008, a 53-acre parcel directly southwest of the mm 4.1-4.5 stretch, and contiguous with the BCWMA, was placed on the market by a private party as a potential subdivision. This parcel consists of native fescue prairie and ponderosa pine parkland—high quality ungulate winter range. In addition, it included 1,800 feet of Clearwater River frontage at the point most migrating elk and deer use to travel between summer ranges to the west and the main unit of the BCWMA. If the parcel sold on the private market it would almost certainly have been developed for residential use, causing long-term and significant impacts to the function of the adjacent WMA. MDT proposed to purchase the tract and transfer it to FWP to replace the 19 acres of current FWP land that will be impacted by the realignment project and to mitigate for impacts the project will have on the area's wildlife habitat values.

This draft management plan outlines FWP's strategies for meeting the obligations it would accept as part of the cost of acquiring the subject lands. After revising this draft plan to reflect

public review and comment, the final version will serve as an amendment to the existing comprehensive management plan for the BCWMA (revised 1989).

AREA DESCRIPTION

Legal descriptions and Location of Properties

BCWMA - FWP Owned Property and Originally Purchased with Wildlife Restoration Funds

Missoula County, Montana

Legal Description: T15N, R14W

Area #1 – Section 4 Lot 2 & Section 33 SW1/4, SE1/4 (0.78 acres)

Area #2 – Section 21 SW1/4, SW1/4 & Section 28 NE1/4, NW1/4
(1.35 acres)

Area #3 – Section 21, SW1/4, NW1/4 & NW1/4, NW1/4 (4.95 acres)

Total: 7.08 acres currently specified on MDT design plans

** Current finalized design plans only define first portion of MDT's project. Best estimates for other locations for the second portion are:

Area #4 – Section 17, NW1/4, NE1/4 & NE1/4, NE1/4 (0.75 acres)

Area #5 – Section 9, Lot 3 (0.675 acres)

Area #6 – Section 9, Lot 2 (0.895 acres)

Area #7 - Section 4, Lot 5 & Section 5, Lots 1, 5 and 6 & Section 32, Lot 4 (8.14 acres)

Area #8 – Section 5, Lot 2 & Section 32, Lot 4 (1.12 acres)

Total: 11.58 acres

Grand total estimated acres to be affected by proposed action: 18.66

See *Appendix A* for a location map of the affected areas

MDT- MDT Owned Property proposed for acquisition by FWP

Missoula County, Montana

Legal Description: SE ¼ S17, T15N, R14W, Tract B COS 05922

Total: 52.73 acres

MDT would acquire up to 8 distinct parcels of FWP land totaling no more than 19 acres. All of these parcels are directly adjacent and parallel to the existing highway corridor. Due to their scattered nature and juxtaposition to the highway, they provide limited direct wildlife habitat value, although the impact of their loss and the resulting highway improvement project extends beyond the actual footprint of the disposed properties.

The FWP acquisition lies between the Clearwater River and the western boundary of the BCWMA. It includes 1,800 feet of Clearwater River frontage and is comprised of native bunchgrass and ponderosa pine parkland. Lesser amounts of Douglas fir and shrub communities exist on the steeper slopes grading toward the river. The parcel is strategically located at one of the few points along the Clearwater south of Salmon Lake where wildlife can freely cross from summer/fall ranges in the Blanchard/Lost Horse Cr. areas and high quality winter range on the BCWMA. The parcel has been platted for residential subdivision and a well and access road are

in place. Montana DNRC owns and administers lands along the southern boundary of the property.

ENCUMBRANCES

Montana Fish, Wildlife & Parks (FWP) purchased the Blackfoot-Clearwater Wildlife Management Area (WMA), including lands to be transferred to MDT under this proposal, in 1948, under the authority granted in 87-1-209 MCA. This statute also authorizes FWP to “develop, operate, and maintain acquired lands or waters.” FWP’s authority to manage its lands is subject to rules that may be adopted by the Fish, Wildlife & Parks Commission, as described in 87-1-301 MCA.

The WMA was originally purchased with revenues from sales of Montana hunting licenses, and with Federal Aid in Wildlife Restoration monies (Project W-30-L) under Montana’s assent to the federal Pittman-Robertson Act (87-1-709 MCA). Lands directly subject to this proposal were purchased by FWP in 1999 and 2000 from Plum Creek Timber Company with funding enabled by an act of the 1987 Montana Legislature (87-1-241-242 MCA) known as House Bill 526, which earmarked for habitat acquisition a set portion of the revenues generated from sales of Montana Sportsmen’s and nonresident Big Game Combination licenses. Management of these lands is subject to guidance provided by the U. S. Fish and Wildlife Service under 87-1-710 MCA, which states that a condition of Montana’s assent to the federal Pittman-Robertson Act is that “no license fees paid by hunters in the state of Montana shall be used or taken for any other purpose than the administration and use of the department.”

FWP may convey an interest in lands it has acquired, if consent is given by the Montana Fish, Wildlife & Parks Commission (87-1-209 MCA). This exchange will also require the approval of the Montana Land Board.

FWP’s acceptance of Federal Aid requires the Service to oversee proper use of state hunting license dollars under the Pittman-Robertson Act. The lands specifically subject to this proposal were purchased with Federal Aid. FWP has consulted the Service on this proposal and received concurrence that the proposed action would adequately replace habitat lost to highway right-of-way acquisition, and would ensure the WMA continues to achieve its intended purpose.

The proposed removal of the Federal interest in the BCWMA tracts constitutes a federal action subject to the provisions of the National Environmental Policy Act of 1969, as amended. USFWS is therefore required to prepare an Environmental Assessment to analyze the effects on the human environment and document the findings. USFWS will use this Environmental Assessment to determine if the proposed action is likely to result in significant impacts to the human environment. If it is determined that there are no significant adverse impacts, USFWS will issue a Finding of No Significant Impact (FONSI). If it is determined, conversely, that significant impacts might occur, the Service would be required to prepare an Environmental Impact Statement (EIS).

MANAGEMENT STRATEGIES

The Subject FWP-acquired lands would be managed in a manner consistent with direction provided in the BCWMA comprehensive management plan (revised 1989), noxious weed management plan (1992), plan for entering into cooperative management agreements with private landowners (1996), management plan for the West Slope of Boyd Mountain (856 acres purchased from Plum Creek, 1999), and management plan for the Blackfoot-Clearwater Conservation Easement with DNRC (6,850 acres, 2004).

Specifically, this parcel would be opened to the public for year-round use and enjoyment including hunting, wildlife viewing, and fishing. Management would be focused on maintaining and improving native bunch grass communities through active weed control, as necessary. In addition, forest management objectives will focus on the maintenance of the existing ponderosa pine parkland. This stand is in good condition at present and no active forest management is needed or anticipated in the near term. The riparian corridor along the Clearwater on the subject parcel is in good functional condition; no immediate restoration needs have been identified. In general, FWP management of the BCWMA, including the subject parcel, will target the following objectives:

I: Manage for the maximum sustainable utilization of the winter range by elk, mule deer and white-tailed deer within the following standards:

- Soil condition and development will be maintained or enhanced;
- Adverse impacts to adjacent landowners will be reduced or mitigated;
- The condition of elk and deer populations will be maintained or enhanced;
- Elk and deer populations will be supported by natural winter forage;
- Adverse impacts on other resources such as fisheries, riparian habitats, water quality, native plant communities, and other animal populations will be avoided or mitigated. Opportunities to enhance these resources will be pursued when compatible with elk and deer management (as time and funding allow).

II: Maximize public access and recreation opportunities within the following standards:

- Other WMA objectives (i.e., wildlife) will not be compromised;
- Diverse opportunities for appreciation and enjoyment by the public will be maintained.

Public Access:

The subject lands lie within the current boundaries of FWP Hunting District (HD) 285 and would be added to the BCWMA. Subject lands would be open to non-motorized travel yearlong.

- Overnight camping is allowed. Camps may be maintained on the BCWMA for a maximum of 14 days in any 30-day period.
- Do not block roads or gates.
- No removal of firewood from the BCWMA.
- Permits required for groups of over 30 people.

- Leave no trace of campfires, hitching rails, shooting targets or other litter.

Livestock grazing:

No livestock grazing is anticipated on the parcel in the near term. A separate EA under MEPA would be prepared at such time as FWP might seriously explore the option of prescribing livestock grazing to benefit wildlife habitat.

Noxious Weed Control:

Considerations for managing risks of public contact with herbicide residues and other environmental issues are addressed in the Noxious Weed Management Plan for the BCWMA (1992). Weeds present on this site include spotted knapweed, St. Johnswort, leafy spurge, cheatgrass, and yellow flag iris. These species occur at trace to medium densities and are largely associated with discrete disturbed areas such as the access road and well site. FWP weed management will focus on broadcast herbicide treatment of these documented infestations, biocontrol releases, and spot treatments of yellow flag iris (in coordination with ongoing Missoula County Weed District efforts along the Clearwater) and spot treatments of identified patches of leafy spurge. FWP and the Missoula County Weed District completed a detailed field weed inspection and developed a weed management plan for the parcel in July, 2009. Prescriptions are consistent with the 1992 BCWMA Noxious Weed Management Plan. This inspection report is appended in full, below.

FWP Land Acquisition – Weed Inspection and Report

COMPLIANCE CHECKLIST FOR SECTION 7-22-2154, MCA

Property Name: MDOT FWP 52-ac. Replacement Parcel, Hwy 83 MM4 FWP Region: 2

County: Missoula

Date of Property Inspection with County Weed Management District: 7/13/09

County Representative(s): Lindsey Bona, Missoula County Weed District

FWP Staff: Jay Kolbe, FWP Area Wildlife Biologist

Weed Report (please attach weed inspection report or use the space below to describe noxious weeds present on the property, including observations of weed distribution and abundance):

Submitted by L. Bona, Missoula County Weed District:

“This parcel of property consists of rough fescue prairie meadows, open Ponderosa Pine “parks”, Clearwater River frontage, and a pothole pond. The weeds present on this site are spotted knapweed, St. Johnswort, leafy spurge, cheatgrass, and yellow flag iris. Spotted knapweed is scattered throughout the property with infestations ranging from trace to medium in density. The rough fescue prairie seems to be competing quite well with the knapweed. Medium densities of

the spotted knapweed occur where roads, wells, and grazing disturbance has occurred. These medium density infestations probably occur on less than 1/4 of the total property. The occurrence of St. Johnswort is at a trace density and occurs on the fringes of disturbances (mostly the roads). Several small patches of leafy spurge (less than 10 feet in diameter) were discovered along an access road into the property from hwy 83. These patches are growing under several large ponderosa pines. Yellow flag iris is present along the banks of the Clearwater River and several patches have been identified growing adjacent to this parcel and have been mapped under the Clearwater Yellow Flag Iris Project.”

Weed Management Plan

Submitted by L. Bona, Missoula County Weed District:

“The top priority for this parcel will be the treatment of the satellite leafy spurge infestation. This weed is considered a new invader under the Missoula County Weed District’s jurisdiction and requires immediate attention. It will be treated with 1 pint of picloram and 1 quart 2-4D once a year in the spring before seed set for 3 consecutive years. This leafy spurge patch will continue to be monitored beyond the 3-year treatment to assure eradication. Efforts should be taken to protect the rough fescue prairies and treating a buffer around these areas would be the most efficient use of money. Treatment within the prairie area may adversely affect native forb species. Spotted knapweed can be treated with picloram at 1 pint per ac or milestone at 5 to 7 ounce per acre. Spotted knapweed should be treated prior to flower stage. Medium infested spotted knapweed areas that cannot be treated should receive releases of *Cyphocleonus achates*, the spotted knapweed root weevil. St. Johnswort can be spot treated with 2,4D prior to flowering where it is found. Revegetation with a native seed mix is recommended where the medium density stands of spotted knapweed are controlled. The yellow flag iris that is present along the Clearwater River is being controlled through a cooperative project between the Missoula County Weed District, Fish, Wildlife and Parks, Department of Natural Resources, and Department of Agriculture. These infestations will continue to be monitored and managed in accordance with the FWP Integrated Weed Management Plan as well as the Missoula County Weed District Weed Management Plan.”

FWP concurs with and will carry out Missoula County Weed District staff recommendation.

County Weed Management District Representative: I have inspected the property, and reviewed the weed situation with a representative of Montana Fish, Wildlife & Parks. I concur with FWP’s weed management plan for property, as summarized above.

Signed: (Lindsey Bona)